

COOLEY LLP
BENEDICT HUR (224018)
(bhur@cooley.com)
SIMONA AGNOLUCCI (246943)
(sagnolucci@cooley.com)
EDUARDO SANTACANA (281668)
(esantacana@cooley.com)
JOSHUA ANDERSON (312836)
(joshua.anderson@cooley.com)
ANIKA HOLLAND (336071)
(anika.holland@cooley.com)
NAIARA TOKER (346145)
(ntoker@cooley.com)
JULIA M. IRWIN (352861)
(Jirwin@cooley.com)
3 Embarcadero Center, 20th Floor
San Francisco, California 94111-4004
Telephone: +1 415 693 2000
Facsimile: +1 415 693 2222

Attorneys for Defendant
GOOGLE, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARY SMITH et al., individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

GOOGLE, LLC,

Defendant.

Case No. 5:23-cv-03527-PCP
(Consol. w/ 5:23-cv-04191-BLF)

JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER AS
MODIFIED TO MODIFY CASE
BRIEFING DEADLINES

[L.R. 6-2]

1 Pursuant to Local Civil Rule 6-2, Plaintiffs and Defendant Google LLC (“Google”) stipulate
2 as follows:

3 **WHEREAS**, on September 17, 2025, the Court issued a discovery order resolving several
4 discovery disputes; setting a December 17, 2025 deadline for Google to complete production of
5 certain documents; and setting a schedule for resolving the parties’ dispute regarding the
6 production of an anonymized sample of class event data. *See* ECF No. 126.

7
8 **WHEREAS**, the Court ordered (1) the parties to meet and confer, either in person or by
9 video conference, as to the types of data to be included, the relevant time frame, the size of the
10 sample, and a date for completion of production by November 21, 2025; (2) the parties to submit
11 the issue in dispute to the Court no later than 12 p.m. on November 26, 2025, if the parties are
12 unable to reach agreement on a sampling protocol by that date; and (3) that the Court would hold
13 a hearing by video conference on Tuesday, December 2, 2025 at 10 a.m. to address any open
14 issues.
15

16 **WHEREAS**, the parties have met and conferred first on November 18, and again on
17 November 21, 2025, to address the sampling protocol issues discussed in the Court’s discovery
18 order.
19

20 **WHEREAS**, the parties have worked cooperatively and have made substantial progress on
21 discussing the parameters of any data sampling.
22

23 **WHEREAS**, due to the complexities involved, the quantity of data, further investigation is
24 necessary to determine the nature and quantity of data that will be sufficient and proportional for
25 the needs of the case;

26 **WHEREAS**, the upcoming holiday and the reduced availability of relevant employees and
27 counsel for both parties impedes the ability for counsel to meaningfully determine whether and to
28

what extent a dispute may exist.

WHEREAS, the parties agree that further time is needed to allow the parties to work towards reaching an agreement and, failing agreement, to ensure only a concrete, narrow, and ripe dispute is presented to the Court on the basis of a full factual record.

WHEREAS, the parties agree that they need approximately 14 additional days to attempt to reach a meaningful resolution on the sampling protocol issues.

WHEREAS, the parties have conferred and agreed to the below proposed modified schedule, subject to Court approval.

WHEREAS, there have been no other requests to alter the discovery dispute deadlines. Outside of the discovery dispute, the parties have stipulated to modify certain deadlines three times over the course of the case. The parties previously stipulated to extend the briefing schedule for Google's motion to compel arbitration, *see* ECF No. 54, as well as Google's time to respond to Plaintiffs' Consolidated Class Action Complaint, *see* ECF No. 85. On February 24, 2025, the parties also stipulated to modify case deadlines. *See* ECF No. 107.

Accordingly, **IT IS HEREBY STIPULATED AND AGREED** between the parties, subject to the Court's approval, that the discovery dispute schedule regarding the production of class event data is now as follows:

Event	Current Date	Revised Date
First Meet and Confer, in Person or by Videoconference	November 21, 2025	No change
Submission of Issues in Dispute to Court, if Unable to Reach Agreement	November 26, 2025, at 12:00 p.m.	December 10, 2025, at 12:00 p.m.
Court Hearing by Videoconference to Address Open Issues	December 2, 2025 at 10:00 a.m.	December 16, 2025, at 10:00 a.m. via videoconference, or at the Court's earliest convenience.

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Dated: November 21, 2025

Respectfully submitted,

COOLEY LLP

By: /s/ Benedict Hur

Benedict Hur
Simona Agnolucci
Eduardo E. Santacana
Joshua Anderson
Naira Toker
Anika Holland
Julia Irwin

Attorneys for Defendant
GOOGLE, LLC

Dated: November 21, 2025

GEORGE FELDMAN MCDONALD, PLLC

By: /s/ Michael Liskow

Lori G. Feldman
Michael Liskow
102 Half Moon Bay Drive
Croton-on-Hudson, NY 10520
Telephone: (917) 983-9321
lfeldman@4-justice.com
mliskow@4-justice.com
service@4-justice.com

Joel D. Smith, Cal. Bar No. 244902
SMITH KRISHOVEY, PC
166 Geary Street
#1500-1507
San Francisco, CA 94108
Telephone: (415) 839-7000
Facsimile: (925) 407-2700
joel@skclassactions.com

*Attorneys for Plaintiff and the Proposed
Class*

[PROPOSED] ORDER**PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:**

The following deadlines in this action are modified or added as follows:

Event	Current Date	Revised Date
First Meet and Confer, in Person or by Videoconference	November 21, 2025	No change
Submission of Issues in Dispute to Court, if Unable to Reach Agreement	November 26, 2025, at 12:00 p.m.	December 10, 2025, at 12:00 p.m.
Court Hearing by Videoconference to Address Open Issues	December 2, 2025 at 10:00 a.m.	December 16, 2025, at 10:00 a.m. via videoconference, or at the Court's earliest convenience.

Dated: November 26, 2025


Honorable Susan van Keulen
UNITED STATES DISTRICT JUDGE

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